

01-23-06

ATTORNEY DOCKET NO.  
017575.0680 (TAMUS 1685)

PATENT APPLICATION  
09/870,144

10/7 #  
IPW

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Eva Sevick-Muraca, et al.  
Serial No.: 09/870,144  
Filing Date: May 30, 2001  
Confirmation No. 9131  
Art Unit No. 3737  
Examiner: W. C. Jung  
Title: *Imaging of Light Scattering Tissues with Fluorescent Contrast Agents*

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**NOTICE OF APPEAL**

In response to the Office Action mailed October 19, 2005, Applicants respectfully request the Board of Patent Appeals and Interferences to reconsider the rejections of the claims.

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**REMARKS**

This Application has been carefully reviewed in light of the Office Action mailed October 19, 2005. Applicants respectfully request consideration and favorable action in this Application.

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decisions of the Examiner mailed October 19, 2005 finally rejecting Claims 1-34.

This application is filed on behalf of a large entity.

Attached herewith is a check made payable to the "Commissioner of Patents and Trademarks" in an amount of \$500.00 to satisfy the Notice of Appeal fee under 37 C.F.R. §1.17(b). The Commissioner is hereby authorized to charge any required fees and credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant

A handwritten signature in black ink, appearing to read 'Bradley P. Williams', with a long horizontal flourish extending to the right.

Bradley P. Williams  
Reg. No. 40,227

January 19, 2006

Correspondence Address:

Customer Number: **05073**